

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEMETRION LAFAYETTE,

Petitioner,

Case No. 1:10-cv-951

v

HON. JANET T. NEFF

THOMAS BIRKETT,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

In accordance with the Opinion entered this date:

**IT IS HEREBY ORDERED** that Respondent's Objections to the Report & Recommendation (Dkt 18) are GRANTED only as to the applicable standard of review, and the Report and Recommendation (Dkt 17) is otherwise APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the petition for habeas corpus relief (Dkt 1) is DENIED for the reasons stated in the Report and Recommendation.

Date: November 8, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge